

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

JENNIFER BERRY,

Plaintiff,

V.

TOWN OF FRONT ROYAL, VIRGINIA,

Defendant.

Case No.: 5:21cv00001

## **DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

COMES NOW defendant, Town of Front Royal, Virginia (“the Town”), by counsel, pursuant to Fed. R. Civ. P. 56(a), and files its Motion for Summary Judgment on the following grounds:

1. The Town is not responsible for the alleged actions by elected officials of which Jennifer Berry (“Berry”) complains.
2. The evidence in this case does not establish a claim of discrimination on the basis of sex in violation of Title VII.
3. The evidence in this case does not establish a claim of retaliation in violation of Title VII.
4. The evidence in this case does not establish a claim of retaliatory hostile work environment in violation of Title VII.
5. The evidence in this case does not establish a claim for violation of the FMLA.

WHEREFORE, for the foregoing reasons, as amplified by the accompanying Memorandum in Support of Motion for Summary Judgment, any reply to an opposition filed on behalf of plaintiff, and any reasons to be argued at any hearing, defendant, Town of Front Royal,

Virginia, by counsel, requests that the court grant its Motion for Summary Judgment and dismiss this case with prejudice.

Respectfully submitted,

**TOWN OF FRONT ROYAL, VIRGINIA**  
By Counsel

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/s/  
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Counsel for Defendant

#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 14<sup>th</sup> day of March, 2022, I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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